

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE AGRICULTURE COMMITTEE**

**Date:** Tuesday, February 10, 2009

**Time:** 3:00 pm

**Place:** Capitol

**Room:** 472

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 415, HB 416, HB 478


**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):


**COMMENTS:**

  
\_\_\_\_\_  
REP. Mike Jopek, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**Agriculture COMMITTEE**

DATE: Feb. 10, 2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Representative French	✓	
Representative Butcher	✓	
Representative Roundstone	✓	
Representative Bean	✓	
Representative Furey	✓	
Representative Regier	✓	
Representative Fleming		✓
Representative Randall	✓	
Representative Howard	✓	
Representative Kerns	✓	
Representative Taylor	✓	
Representative Dickenson	✓	
Representative Wagner		✓
Representative Caferro	✓	
Representative Warburton	✓	
Representative McClafferty	✓	
Representative Hoven	✓	
Representative MacDonald	✓	
Representative Belcourt		✓
Chairman Jopek	✓	

**Montana House of Representatives  
Visitors Register**

**Agriculture Committee**

**Date** 2/10/09

**Bill No.** HB 478 **Sponsor(s)** Rep. W. Grinde

**PLEASE PRINT**

**PLEASE PRINT**

**PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
GREG AMES	WET DEPT AGE		X	
Julia Page	Northern Plains	X		

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

C:\Documents and Settings\cl3184\My Documents\Agriculture Visitor Registration

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**Agriculture Committee**

**Date** 2/10/09

**Bill No.** HB 415 **Sponsor(s)** Rep. M. MacDonald

**PLEASE PRINT**

**PLEASE PRINT**

**PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Richard Bank <sup>P.O. Box 156</sup> Gardiner, MT	AFAC	✓		
Connie Keogh <sup>P.O. Box 722</sup> Absarokee, MT 59001	NPRC	✓		
Will Selser	MT. Recycle Assoc.	✓		
Don Dawns	MFLU	✓		
Dennis Getz	HD 38	✓		
Matt Elbacher	S.A.V.E. Fund	✓		
Julie Clavin <sup>Chairman</sup>	MT Dept of Ag	✓		
Jack Hghe	Dept of Labor			α
Don Sp...	DEQ	✓		

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# Montana House of Representatives Visitors Register

## Agriculture Committee

**Date** 2/10/09

Bill No. HB 416 Sponsor(s) Rep. M. Mac Donald

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[illegible]

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AD

## Information Requested by the House Agriculture Committee for SB55

February 4, 2009

### Current Fee Schedule (no proposed increases)

#### Licensing

- To manufacture and/or distribute/supply a commercial fertilizer, specialty fertilizer or a soil amendment into Montana:
  - New license: \$75
  - Annual renewal: \$50
  - Late renewal: \$75
- \* Persons who do not manufacture and distribute only specialty fertilizers in Montana are exempt from the licensing requirement.

#### Product Registration

- Commercial Fertilizers (agricultural use) - \$30/product
  - \$20 to fertilizer program
  - \$10 to ground water program
- Specialty Fertilizers (primarily non-farm use) - \$45/product
  - \$35 to fertilizer program
  - \$10 to ground water program
- Soil Amendments - \$20/product
  - \$20 to fertilizer program
  - \$0 to ground water program

#### Tonnage Assessment Fees

- Commercial Fertilizers - \$0.60 per ton
  - \$0.25 to fund the department's fertilizer program
  - \$0.35 to fund MSU's extension and experimental station programs
    - 1% retained by the department to cover administrative costs
    - The remaining funds are split 50:50 between MSU's Extension Services (ES) and Agricultural Experiment Station (AES)
- Anhydrous Ammonia - \$1.30 per ton
  - \$0.95 to fund the department's anhydrous program
  - \$0.35 to fund MSU's extension and experimental station programs
    - 1% retained by the department to cover administrative costs
    - The remaining funds are split 50:50 between MSU's Extension Services (ES) and Agricultural Experiment Station (AES)
- Soil Amendments - \$0.10 per ton
  - used to fund the department's fertilizer program
  - if less than 50 tons are sold within a 3-month reporting period no fee is due
- Specialty Fertilizers are exempt from the tonnage assessment fee

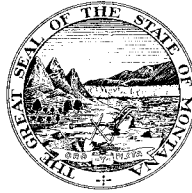
### Current Fund Balance

- As of February 3, 2009, the current fund balance for the Commercial Fertilizer program was \$74,221.19

AD

OFFICE OF THE GOVERNOR  
BUDGET AND PROGRAM PLANNING  
STATE OF MONTANA

BRIAN SCHWEITZER  
GOVERNOR



CAPITOL BUILDING - P.O. BOX 200802  
HELENA, MONTANA 59620-0802

MEMORANDUM

To: Representative MacDonald  
Representative Jopek, Chair  
Members of the Agriculture Committee

From: David Ewer, Budget Director

Re: Opposition to HB 416, Exempt certain biodiesel from state tax

Date: February 10, 2009

Dear Representative MacDonald and members of the committee: Given budget constraints, I respectfully go on record as opposing HB 416 for fiscal reasons. My opposition is not based on any intrinsic merits of HB 416.

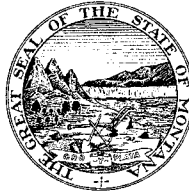
The Executive Budget currently has a structural surplus, however, unlike the 2007 Session, which had over \$80 million in projected revenues over the Administration's ongoing general fund expenditure proposals, the current budget is very tight. While the Administration insisted on a spending cap to preserve the structural surplus of \$80 million, the modification or rejections of some Administration proposals created substantial fiscal 'space' for other legislative priorities.

The Schweitzer Administration fully understands and respects the legislative process and a legislator's prerogative to achieve any legislation he or she so desires. Given that it is very early in the 2009 session and this bill's hearing date, it is certain that the legislature will take later action that will either free up or additionally constrain budget capacity. But again, the importance of maintaining a basic level of public safety, health, and education service levels require this opposition.

This letter is intended to benefit, not impede communications. I am eager for any feed back as to how we can maximize effective communications.

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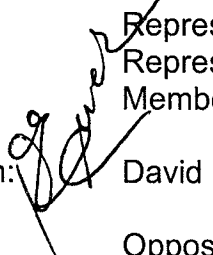
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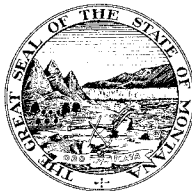
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MEMORANDUM

To: Representative MacDonald  
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From: *David Ewer* David Ewer, Budget Director

Re: Opposition to HB 415, Regulate micro-processing of biodiesel

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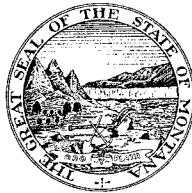
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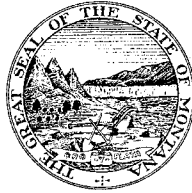
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